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Richard J. Jaworski
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

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DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

In re Application of: Matsuoka)
Application No. 08/841,397) DECISION ON PETITION TO
Attorney Docket No. 655/63396) WITHDRAW HOLDING OF
Filed: April 30, 1997) ABANDONMENT UNDER 37 CFR §
For: SPATIALIZED AUDIO IN A THREE-) 1.181(a)
DIMENSIONAL COMPUTER BASED)
SCENE)

This is a decision on the petition filed July 22, 2003 requesting the withdrawal of the holding of abandonment. The Notice of Abandonment was mailed July 15, 2003 (Paper No. 29). This application was held abandoned for failure to timely file a response to the Notice of Appeal that was received December 30, 2002. This petition is being treated under 37 CFR § 1.181(a).

Petitioners have submitted a petition, a request for continued examination (RCE), a check for \$750 for the filing fee, an amendment, and copies of the originally filed Notice of Appeal accompanied by a three-month extension of time. The RCE was filed with a certificate of mailing dated July 22, 2003.

A review of the Office copy reveals the Notice of Appeal and petition for three-month extension of time is of record in the application with an Office receipt date of December 30, 2002. The Notice of Abandonment was mailed prior to the end of applicant's extendable period to reply. The Office regrets any inconvenience caused by this error.

Accordingly, the petition is **GRANTED**. The holding of abandonment is withdrawn.

The application file will be forwarded to the Technology Center support staff for processing of applicant's request for continued examination.

Josie A Ballato
Special Program Examiner
Technology Center 2100
Computer Architecture, Software, and Information Security
(703) 308-0269